

Before the Board of Zoning Adjustment, D.C.

Application No. 12116 of Mr. & Mrs. Harry Hull, pursuant to Sub-section 8207.1 of the Zoning Regulations, for a variance from the side yard requirements (Sub-section 3305.1 and 7107.2) to permit an addition to a dwelling which is a non-conforming structure in the R-1-B District at the premises 3134 Ordway Street, N.W. (Square 2072, lot 24).

HEARING DATE: March 31, 1976

DECISION DATE: March 31, 1976 (from the Bench)

FINDINGS OF FACT:

1. The property is located in an R-1-B District.
2. The property is improved with a three-story brick detached dwelling.
3. The existing structure has a side yard of 7.1 feet on the west side.
4. At the rear of the first story of the structure there is a patio cut into the first story. This patio extends 8.0 feet deep into the building and is 12.25 feet wide, and is covered by the floor of the second story of the house.
5. The applicant proposes to enclose this patio and to extend it seven feet into the rear yard.
6. The west wall of the extension will be on the same line as the west wall of the existing structure, and will be 7.1 feet from the side lot line. A variance of .9 feet is thus required.
7. The lot slopes in such a way that water runoff is presently directed at the house. There is presently a retaining wall located approximately seven feet from the rear of the house, but it is inadequate to channel the water. The wall of the addition will help to direct water runoff away from the house.
8. The abutting property owners had no objection to the application.
9. There was no opposition to the application.

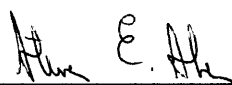
CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the requested variance is an area variance, the granting of which requires the showing of a practical difficulty. The Board concludes that the applicant would suffer a practical difficulty if he were required to set the enclosure of the patio and the addition back .9 feet from the existing wall of the structure. The Board further concludes that the slope of the lot and resulting water drainage problem also add to the practical difficulty. The Board concludes that there will be no adverse neighborhood impact and that there will be no negative effect on adjoining property. It is therefore ordered that the application be GRANTED.

VOTE: 3-0 (Martin Klauber, Leonard L. McCants and William F. McIntosh to grant, Lilla Burt Cummings and William S. Harps not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED by:


STEVEN F. SHER

Acting Secretary to the Board

FINAL DATE OF THE ORDER:

APR 26 1976

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.